

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

October 17, 2013



Right-of-way Abandonment case no. RA13-06: North Washington Avenue at East 23rd Street

LOCATION: a request to abandon a 0.0826-acre (3,598 square-foot) portion of public right-of-way located at the southeast corner of North Washington Avenue and East 23rd Street and adjacent to Lots 6 and 7 in Block 28 of the Bryan Original Townsite

APPLICANT(S): Brent Hairston

AGENT: ATM Surveying

STAFF CONTACT: Randy Haynes, Project Planner



BACKGROUND:

For more than 50 years, part of this 15-foot wide portion (3,598sf) of public right-of-way adjacent to Block 28 of the Bryan Original Townsite has been improved with parking spaces in use by the adjacent commercial building. In practical terms, the right-of-way requested to be abandoned has been functionally integrated with the property for many years. Mr. Brent Hairston owns Lots 6 and 7 in Block 28 adjoining the right-of-way requested to be abandoned. The request was made to formally integrate this land with his ownership of adjoining land.

A replat showing these 3,598 square feet to be combined with current lots 6 and 7 in Block 28 is also scheduled for consideration by the Planning and Zoning Commission during its meeting on October 17, 2013 (case no. RP13-15).

Acting on behalf of the general public, only Bryan's City Council is authorized to officially abandon all or portions of rights of way dedicated for public use. The Planning and Zoning Commission hears and makes a recommendation on proposals to abandon any such rights-of-way.

ANALYSIS AND RECOMMENDATION:

The 300 block of North Washington Avenue has a 100-foot wide right-of-way and currently 25 feet of pavement. The adjacent 300 block of East 23rd Street has an 80-foot wide right-of-way and also has 25 feet of pavement. Even if the requested abandonment of this right-of-way was approved by the City Council, there would still be sufficient right-of-way remaining for possible widening of both streets to modern local street standards in the future. Abandoning the subject rights-of-way, therefore, should not substantially interfere with the smooth circulation of vehicular and pedestrian traffic in this vicinity. No public or franchised utilities are currently located in the right-of-way requested to be abandoned.

The Site Development Review Committee and staff recommend **approving** this request to abandon this 0.0826 acre portion of public right-of-way. Excess right-of-way burdens the public with possible continued maintenance, liability concerns, and is an inefficient use of urban land. The right-of-way requested to be abandoned has been functionally integrated with adjacent properties. Abandoning the subject right-of-way, as recommended, will allow this land to be formally integrated with adjacent land. Staff contends that the recommended rearrangement of land will have the most likely long-range public benefit.